

Senate Study Bill 1063

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON REDFERN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring a physician to report certain burn injuries to
2 the state fire marshal's office, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1979SC 80
5 jm/pj/5

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1 1 Section 1. NEW SECTION. 147.113A REPORT OF BURN
1 2 INJURIES.
1 3 1. In every case where a person receives a second=degree
1 4 or third=degree burn to five percent or more of the person's
1 5 body as a whole, a burn to the upper respiratory tract, or
1 6 occurring laryngeal edema due to the inhalation of super=
1 7 heated air, or any burn injury which is likely to result in
1 8 death, the burn injury shall be reported to the state fire
1 9 marshal's office by the attending physician. The report shall
1 10 include the name of the person, a brief description of the
1 11 burn or injury, and, if ascertainable, the address of the
1 12 person. Any provision of law or rule of evidence regarding
1 13 confidential communications is suspended with respect to the
1 14 provisions of this section.

1 15 2. Upon receiving the report, if the state fire marshal
1 16 believes the person with the burn injury was involved in the
1 17 commission of any crime, either as perpetrator or a victim,
1 18 the state fire marshal shall commence an investigation into
1 19 the circumstances of the burn injury and make a report of the
1 20 investigation to the county attorney in the county where the
1 21 burn injury occurred. The state fire marshal's office shall
1 22 not divulge any information received under the provisions of
1 23 this section except to a law enforcement agency, and then only
1 24 to an agency involved in the investigation of the alleged
1 25 commission of a crime.

1 26 3. A physician who fails to make a report regarding a burn
1 27 injury required by this section commits a simple misdemeanor.

1 28 EXPLANATION

1 29 This bill requires a physician to report certain burn
1 30 injuries to the state fire marshal's office.

1 31 Under the bill, the attending physician shall report to the
1 32 state fire marshal's office any of the following: a person
1 33 who receives a second=degree or third=degree burn to 5 percent
1 34 or more of the person's body as a whole, a burn to the upper
1 35 respiratory tract, or occurring laryngeal edema due to the
2 1 inhalation of super=heated air, or any burn injury which is
2 2 likely to result in death. The bill requires the report to
2 3 include the name of the person who received the burn injury, a
2 4 brief description of the injury, and, if ascertainable, the
2 5 address of the person. Any provision of law regarding
2 6 confidential communications by a physician is suspended by the
2 7 bill.

2 8 The bill provides that if the state fire marshal believes
2 9 the person who received the burn injury was involved in the
2 10 commission of a crime, either as the perpetrator or a victim,
2 11 the state fire marshal shall start an investigation into the
2 12 circumstances of the burn injury. The bill then requires the
2 13 state fire marshal to file a report of the investigation with
2 14 the county attorney in the county where the burn injury
2 15 occurred. The bill also prohibits the state fire marshal from
2 16 disclosing any information received under the bill except
2 17 disclosure may be made to a law enforcement agency involved in
2 18 the investigation.

2 19 A physician who fails to report a burn injury as required
2 20 by the bill commits a simple misdemeanor. A simple
2 21 misdemeanor is punishable by confinement for no more than 30
2 22 days or a fine of at least \$50 but not more than \$500 or by

2 23 both.
2 24 LSB 1979SC 80
2 25 jm/pj/5